

**§ 364. District of Columbia account, transfer of funds to railroad unemployment insurance account**

The Secretary of the Treasury is authorized and directed to transfer from the account of the District of Columbia in the unemployment trust fund to the railroad unemployment insurance account in the unemployment trust fund, an amount equal to the “preliminary amount” and an amount equal to the “liquidating amount”, whenever such amounts, respectively, have been determined, with respect to the District of Columbia, pursuant to section 363 of this title.

(June 25, 1938, ch. 680, §14(b), 52 Stat. 1113.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 360 of this title.

**§ 365. Omitted**

CODIFICATION

Section, acts June 25, 1938, ch. 680, §15, 52 Stat. 1113; June 20, 1939, ch. 227, §19, 53 Stat. 844, related to transitional provisions occurring before July 1, 1939.

**§ 366. Separability**

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the application of such provision to other persons or circumstances, and the remainder of this chapter shall not be affected thereby.

(June 25, 1938, ch. 680, §16, 52 Stat. 1113.)

**§ 366a. Effect of Internal Revenue Code**

The provisions of the Railroad Unemployment Insurance Act, as herein amended, shall be in full force and effect notwithstanding the enactment of the Internal Revenue Code.

(June 20, 1939, ch. 227, §22, 53 Stat. 848.)

REFERENCES IN TEXT

The Railroad Unemployment Insurance Act, referred to in text, is act June 25, 1938, ch. 680, 52 Stat. 1094, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 367 of this title and Tables.

The Internal Revenue Code, referred to in text, probably means the Internal Revenue Code of 1939, which was classified to former Title 26, Internal Revenue Code, and was generally repealed by section 7851 of the Internal Revenue Code of 1986, Title 26.

CODIFICATION

Section was not enacted as a part of the Railroad Unemployment Insurance Act which comprises this chapter.

**§ 367. Short title**

This chapter may be cited as the “Railroad Unemployment Insurance Act”.

(June 25, 1938, ch. 680, §17, 52 Stat. 1113.)

CODIFICATION

Another section 17 of Act June 25, 1938, is classified to section 368 of this title.

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-647, title VII, §7001, Nov. 10, 1988, 102 Stat. 3757, provided that: “This title [enacting section 369 of this title, amending sections 231, 231a, 231e, 351 to 355,

358, 360, 361, and 362 of this title and sections 3321, 3322, 6157, 6201, 6317, 6513, and 6601 of Title 26, Internal Revenue Code, omitting section 3323 of Title 26, enacting provisions set out as notes under sections 231, 231a, 351 to 353, 355, and 358 of this title and section 3321 of Title 26, and amending provisions set out as notes under section 231n of this title] may be cited as the ‘Railroad Unemployment Insurance and Retirement Improvement Act of 1988’.”

**§ 368. Supplemental benefits**

**(a) Entitlement**

An employee as defined in section 351(d) of this title shall be entitled to supplemental unemployment benefits in accordance with the provisions of this section for each day of unemployment in excess of four during any registration period in such employee’s period of eligibility if such employee—

(1) has less than ten years of service as defined in section 231(f) of this title, did not voluntarily retire, and did not voluntarily leave work without good cause;

(2) has with respect to the benefit year beginning July 1, 1982, or the benefit year beginning July 1, 1983, exhausted all rights to unemployment benefits under this chapter other than supplemental unemployment benefits payable by reason of this section;

(3) has no rights to unemployment benefits under any State unemployment compensation law or any other Federal law; and

(4) is not receiving unemployment compensation with respect to such day under the unemployment compensation law of Canada.

**(b) Exhaustion of rights to unemployment benefits**

For purposes of this section, an employee shall be deemed to have exhausted his rights to unemployment benefits under this chapter when no unemployment benefits (other than supplemental unemployment benefits payable by reason of this section) can be paid to the employee because he has received the maximum unemployment benefits available to him under this chapter, other than this section.

**(c) Amount of benefits**

The amount of supplemental unemployment benefits payable to an employee under this section for any day of unemployment shall be equal to the amount that would be payable to him for such day under section 352(a) of this title if he were entitled to receive benefits under such section.

**(d) Maximum days**

The maximum number of days of unemployment for which supplemental unemployment benefits may be paid to an employee by reason of this section shall be fifty.

**(e) Period of coverage**

No supplemental unemployment benefits shall be payable by reason of this section for any day before March 10, 1983, or for any day in any registration period beginning after June 30, 1984.

**(f) “Period of eligibility” defined**

(1) For purposes of this section the term “period of eligibility” means, with respect to any employee for the benefit year beginning July 1, 1982, the period beginning with the later of—